

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

May 14, 2008

The regular meeting of the New Hampshire Board of Pharmacy was held on **May 14, 2008** at the Board of Pharmacy office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:02 a.m.** with President George Bowersox presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

George L. Bowersox, President
Ronald L. Petrin, Vice-President
Margaret E. Hayes, Treasurer
Sandra B. Keans, Secretary
Kristina Genovese, Member
Vahrij Manoukian, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Peter A. Grasso,
Chief Compliance Investigator
Margaret A. Clifford,
Compliance Investigator

ALSO ATTENDING

Helen C. Pervanas, R.Ph. - Currently enrolled in the non-traditional PharmD program at MCPHS-Boston and on Advanced Pharmacy Practice rotation at the Board with CI Margaret A. Clifford as her preceptor.

II. REVIEW / ADOPTION OF MINUTES

Minutes of the **April 16, 2008** regular meeting of the Board were **accepted as submitted. (Manoukian/Petrin) Voted (unanimous).**

Minutes of the **April 16, 2008** non-public session of the Board, conducted under the provisions of NH RSA 91-A were **accepted as submitted. (Manoukian/Genovese) Voted (unanimous).**

Minutes of the **April 16, 2008** Public Hearing on Rulemaking Notice Number 2008-40 (Chapter Ph 900 Mail-Order Pharmacies) were **accepted as submitted. (Manoukian/Genovese) Voted (unanimous).**

III. LICENSING

A. **Pharmacy**

1. New

WALGREENS #10609

1498 White Mountain Highway
North Conway, NH 03860

Pharmacist-In-Charge: **Frank L. Evitts, R.Ph.**

NH Pharmacist License No. R1832

Owner/Corporate Officer/Supervisor: **Leo Lariviere, R.Ph.**

Pharmacy Supervisor

Application complete.

Motion (Keans/Manoukian) granting a temporary permit to Walgreens #10609 located at 1498 White Mountain Highway, North Conway, NH, based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

2. Change of Location

WALGREENS #2568

279 Daniel Webster Highway
Nashua, NH 03060

TO

WALGREENS #11505

217 Daniel Webster Highway
Nashua, NH 03060

Pharmacist-In-Charge: **Fatima J. Sanders, R.Ph.**

NH Pharmacist License No. 3194

Owner/Corporate Officer/Supervisor: **Leo Lariviere, R.Ph.**

Pharmacy Supervisor

Application complete.

Motion (Keans/Manoukian) to approve the change of location (and name/store #) of Walgreens #2568, 279 Daniel Webster Highway, Nashua, NH to Walgreens #11505, 217 Daniel Webster Highway, Nashua, NH, and to grant licensure effective upon the successful completion of a site inspection by the Compliance Unit. Voted (unanimous).

IV. CONTINUING EDUCATION

A. Annual Continuing Education Audit

Pursuant to the continuing education audit (of 2007 CE programs for 2008 pharmacist license renewal), the following NH licensed pharmacists did not comply with the continuing education requirements and/or did not respond to the audit request, and accordingly are subject to disciplinary action.

1. **SUSAN C. CARTY**
Litchfield, NH
Lic. # 2717
Short 3 didactic/live hours.
2. **BRENDA L. DORR**
Claremont, NH
Lic. # 2782
Short 2 correspondence hours.
3. **KRISTINA GENOVESE**
East Swanzey, NH
Lic. # R0775
Short 4 correspondence hours.
4. **CHRISTINE A. MAINELLA**
Saratoga Springs, NY
Lic. # R1754
Short 6.5 correspondence hours.
5. **CHRISTIAN E. PETERSON**
Pelham, NH
Lic. # R1862
Short 6.5 correspondence hours.

6. **GREGORY F. SANGUEDOLCE**
Haverhill, MA

Lic. # 3227

Short 3 didactic/live hours.
7. **JOHN P. STOFKO**
Scottsdale, AZ

Lic. # 2473

Short 5 didactic/live hours.
8. **WENDY W. CAHILL**
Beverly, MA

Lic. # 2542

No response to audit requests. Short 15 hours (10 correspondence & 5 didactic/live hours).
9. **ANN MICHAUD**
Lancaster, NH

Lic. # R1127

No response to audit requests. Short 15 hours (10 correspondence & 5 didactic/live hours).
10. **KIMBERLY F. WILLETT**
Elliot, ME

Lic. # 2443

No response to audit requests. Short 15 hours (10 correspondence & 5 didactic/live hours).

Motion (Petrin/Manoukian) to propose *Settlement Agreements* for #'s 1 through 9 as referenced above according to the *Schedule of Fines and Penalties for CE Violations* as approved by the Board. Voted (passed – Commissioner Genovese recused).

Motion (Petrin/Genovese) to refer #10 to the APU for a *Notice of Hearing*, providing the licensee with the opportunity to show cause as to why her license to practice pharmacy in New Hampshire should be continued. Voted (unanimous).

B. Schedule of CE Administrative Fines

Motion (Petrin/Keans) to approve and continue to apply the *Schedule of Administrative Fines and Penalties for CE Violations*, a copy of which is attached to these minutes. Voted (unanimous).

V. COMPLIANCE UNIT

Activity Report - None

VI. NEW BUSINESS

A. MCKESSON SPECIALTY PHARMACY, INC.

McKesson Patient Outreach Network Program

Mr. Steve Hoffman, representing McKesson, provided the Board with a description of the proposed *McKesson Patient Outreach Network Program*. The program includes the offer, by a pharmacist, to provide topic-specific counseling, to the patient, relative to certain smoking cessation prescriptions that are being filled at the pharmacy. Payment, to the pharmacy, for this "service" would be paid by McKesson.

Members of the Board tabled discussion of the proposed program until further written information is received from McKesson. No action was taken.

B. RULEMAKING – FINAL PROPOSAL – NOTICE NO. 2008-40 (CHAPTER Ph 900 MAIL-ORDER PHARMACIES)

Pursuant to a public hearing, held on April 16, 2008, the Board reviewed all testimony and considered the annotations (of the *Initial Proposal*) as submitted by JLCAR (Joint Legislative Committee on Administrative Rules) and on:

Motion (Manoukian/Genovese) voted to submit the *Final Proposal*, as amended, to JLCAR for placement on the Committee agenda and staff review. Voted (unanimous).

C. JOINT HEALTH COUNCIL APPOINTMENTS

DAVID P. LACOSTE, PharmD
Keene, NH

NH License No. 2139
Cheshire Medical Center

PAUL D. SANTOS, PharmD
Sanbornton, NH

NH License No. R1503
Lakes Region General Hospital

Motion (Keans/Manoukian) to reappoint Drs. LaCoste and Santos to serve on the NH Joint Health Council according to the provisions of NH RSA 326-B:10-a effective July 22, 2008 for 3-year terms ending July 22, 2011. Voted (unanimous).

D. NH PharmAssist Foundation

Motion (Keans/Petrin) to approve a sole-source contract with the NH PharmAssist Foundation for the provision of certain services to NH pharmacists who seek assistance with substance/alcohol addiction and according to RSA 318:29-a. The contract price is for \$4,333.00 and is in payment for the period beginning January 1, 2008 through August 31, 2008. Voted (unanimous).

The meeting was recessed at 11:31 A.M. for purposes of meeting with the Board's legal counsel from the Attorney General's Office.

The meeting was reconvened at 1:34 P.M.

The meeting was recessed at 1:38 P.M.

A non-public session was called (Manoukian/Petrin) at 1:38 P.M. with Commissioners Bowersox, Genovese, Hayes, Keans, Manoukian and Petrin present.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved personnel issues.

No motion or vote was taken during this session.

The non-public session was adjourned at 2:25 P.M.

The regular meeting was reconvened at 2:25 P.M.

VII. ADJOURNED 2:25 P.M.

Respectfully Submitted,

Sandra B. Keans
Secretary
FOR THE BOARD

NH BOARD OF PHARMACY
SCHEDULE OF ADMINISTRATIVE FINES
& PENALTIES FOR CE VIOLATIONS

First Offense:

Fine: **\$50. per each hour, or partial hour, of missing CE (\$200. minimum).**

Additional CE: **4-hours for every 1-hour, or partial hour, missing** (didactic for didactic - didactic **or** correspondence for correspondence).

Must submit original CE certificates for the next license renewal.

Second Offense:

Fine: **\$100. per each hour, or partial hour, of missing CE (\$400. minimum).**

Suspension of License:

1. All active; or
2. Some active & some stayed; or
3. All stayed.

Probation: 1-2 years.

Additional CE: Same as above.